

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

STOMACH REDUCTION METHODS AND APPARATUS

the specification of which

(check ☒ is attached hereto
one)

[] was filed on _____
as Application Serial No. _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			<u>Priority Claimed</u>	
			<input type="checkbox"/>	<input type="checkbox"/>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	No

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

<u>60/462,578</u>	<u>April 10, 2003</u>
(Provisional Appln. No.)	(Filing Date)

<u>(Provisional Appln. No.)</u>	<u>(Filing Date)</u>
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and

<u>(Provisional Appln. No.)</u>	<u>(Filing Date)</u>
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I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status) (patented,
pending, abandoned)

(Application Serial No.) (Filing Date) (Status) (patented,
pending, abandoned)

As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Robert R. Jackson, (Reg. No. 26,183)

Jeffrey H. Ingerman, (Reg. No. 31,069)

Send correspondence to:

Robert R. Jackson

FISH & NEAVE

1251 Avenue of the Americas

New York, New York 10020-

1104

Direct telephone calls to:

Robert R. Jackson

(212) 596-9000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Chad John Kugler

First Inventor's signature

Chad John Kugler

3/11/04

Date

CJK 3/11/04

17183 EIDELWEISS STREET,

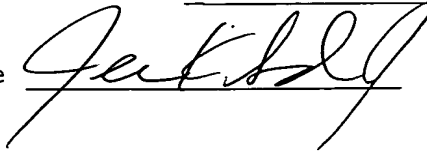
Residence: ~~2658 138th Avenue~~, Andover, MN 55304

Citizenship: United States

Post Office Address: ~~2658 138th Avenue~~
17183 EIDELWEISS STREET
Andover, MN 55304

Full name of second joint inventor Jerome Kent Grudem, Jr.

First Inventor's signature



3/10/2004
Date

Residence: 14039 Vicki Circle, ~~Rodgers~~, MN 55374

Citizenship: United States

Post Office Address: 14039 Vicki Circle

~~Rodgers~~, MN 55374

JKB
3/10/2004